

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**ORDER NO. R4-2014-XXXX**

**WASTE DISCHARGE REQUIREMENTS  
FOR  
PORT OF LOS ANGELES  
(BERTHS 167-169 MAINTENANCE DREDGING)  
(FILE NO. 14-063)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

1. The Port of Los Angeles (POLA) has filed an application for Waste Discharge Requirements for berth modifications and maintenance dredging operations at Berths 167-169 in Los Angeles Harbor, Los Angeles County.
2. The project area is located directly north of the Turning Basin in Los Angeles Harbor (Figure 1). POLA proposes to upgrade the wharf structures at Berths 167-169 (Shell Oil) to comply with Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) Section 3101F.6.2. The current two berth structure will be replaced with a single berth at Berth 167.

The work will include demolition of approximately 55,000 square feet of timber wharf structure (including removal and disposal of the existing timber deck and approximately 900 creosote-treated timber piles), construction of a new 124-foot by 30-foot loading platform (consisting of a reinforced concrete deck supported on eight 48-inch diameter steel pipe piles), construction of new mooring dolphins (consisting of a reinforced concrete deck supported on steel pipe piles) to the north and south of the new unloading platform, and construction of new steel catwalks to provide access to the various berthing and mooring elements. The project is expected to require approximately one year for completion.

3. During removal of existing piles and installation of new piles, POLA expects that some sediment will slide from the existing slope surface and require removal. POLA proposes to dredge a maximum of approximately 2,000 cubic yards of sediment from Berths 167-169 (Figure 2) as needed to maintain berth depths following completion of the new construction elements. The 2,000 cubic yards of dredged material will be disposed of at the POLA Confined Disposal Facility (CDF) located at Berths 243-245 (Figure 1). The CDF is bermed and storage cell areas are designed in a manner to contain the dredged material on the site and prevent escape of sediment and contaminants into adjacent harbor waters.

June 17, 2014

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4. A sediment characterization study was conducted for Berths 167-169 on June 22, 2011. Core samples were collected at two locations within Area A in the northern portion of the study site and combined into a single composite for grain size and chemical analyses (figure 2). Core samples also were collected at three locations within Area B in the southern portion of the study site; the material from the three cores was combined into a single composite for grain size and chemical analyses (Figure 2).
5. Grain size analyses from Berths 167-169 areas indicated that the sediments are fine-grained and comprised predominantly of silt and clay (Composite A was 73.9 % silt-clay and Composite B was 63.5 % silt-clay). Composite A exceeded the concentration thresholds likely to cause toxicity (Effects Range-Median) to marine organisms for copper, total DDT and total PAH, while Composite B exceeded these thresholds for copper (Table 1). Composite A exceeded the concentration thresholds which possibly could cause toxicity (Effects Range-Low) to marine organisms for arsenic, mercury, nickel and total PCB, while Composite B exceeded these thresholds for mercury, total DDT, total PCB and total PAH (Table 1).
6. Given the high contaminant concentrations for several constituents in the sediments to be dredged from Areas A and B in the vicinity of Berths 167-169, toxicity testing and bioaccumulation testing were not performed. The contaminated sediments will be disposed of within the Port of Los Angeles' Berths 243-245 Confined Disposal Facility (CDF), which has been used in the past for disposal of contaminated sediments from the channel deepening project. The CDF is engineered for placement of contaminated sediments to sequester the material and prevent releases of contaminants to adjacent harbor waterways.
7. The United States Corps of Engineers (COE) has granted conditional approval for permit application SPL-2014-00180-TS for the Berths 167-169 dredging project. A final permit is expected to be issued after the COE receives the final Waste Discharge Requirements adopted by the Los Angeles Regional Water Quality Control Board.
8. The City of Los Angeles Harbor Department issued Harbor Development Permit ADP #131007-133 for the Berths 167-169 project on October 8, 2013.

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Table 1. Sediment Characteristics (2011) – Berths 167-169.

Parameter	Composite A	Composite B	Sediment screening thresholds
Grain size: Sand/Gravel	26.1 %	36.5 %	
Grain size: Silt and Clay	73.9 %	63.5 %	
Silver	0.286 ppm	<0.160 ppm	ERL = 1 ppm ERM = 3.7 ppm
Arsenic	10.4 ppm	6.3 ppm	ERL = 8.2 ppm ERM = 70 ppm
Cadmium	0.499 ppm	0.266 ppm	ERL = 1.2 ppm ERM = 9.6 ppm
Chromium	42.4 ppm	27.2 ppm	ERL = 81 ppm ERM = 370 ppm
Copper	88.8 ppm	101 ppm	ERL = 8.2 ppm ERM = 70 ppm
Mercury	0.277 ppm	0.312 ppm	ERL = 0.15 ppm ERM = 0.71 ppm
Nickel	26.8 ppm	17.3 ppm	ERL = 20.9 ppm ERM = 51.6 ppm
Lead	42.4 ppm	18.6 ppm	ERL = 46.7 ppm ERM = 218 ppm
Selenium	0.647 ppm	0.304 ppm	Not available
Zinc	141 ppm	104 ppm	ERL = 150 ppm ERM = 410 ppm
Total DDT	48.1 ppb	34.7 ppb	ERL = 1.58 ppb ERM = 46.1 ppb
Total PCB	102 ppb	102 ppb	ERL = 22.7 ppb ERM = 180 ppb
Total PAH	64,140 ppb	44,160 ppb	ERL = 4022 ppb ERM = 44792 ppb

ppm = parts per million; ppb = parts per billion; DDT = dichloro-diphenyl-trichloroethane; PCB = polychlorinated biphenyls; PAH = polynuclear aromatic hydrocarbons; ERL – Effects Range-Low; ERM= Effects Range-Median

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9. The Regional Board adopted a revised Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties on June 13, 1994. The Water Quality Control Plan contains water quality objectives for Los Angeles-Long Beach Harbor. The requirements contained in this Order as they are met will be in conformance with the goals of the Water Quality Control Plan.
10. The beneficial uses of Los Angeles-Long Beach Harbor (All Other Inner Areas) are: industrial process supply, navigation, water contact recreation (potential), non-contact water recreation, commercial and sport fishing, marine habitat, shellfish harvesting (potential), and preservation of rare, threatened or endangered species (one or more species utilize waters or wetlands for foraging and/or nesting).
11. With proper management of the dredging and disposal operations, the project is not expected to release significant levels of contaminants to the Harbor waters or other State waters nor adversely impact beneficial uses.
12. Dredging and disposal operations will be accomplished through the use of temporary equipment. The Waste Discharge Requirements imposed below will not result in any significant increase in energy consumption.

The Regional Board has notified the Port of Los Angeles and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

IT IS HEREBY ORDERED that the Port of Los Angeles, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act as amended, and regulations and guidelines adopted thereunder, shall comply with the following:

#### A. Discharge Requirements

1. The removal and placement of dredged/excavated material shall be managed such that the concentrations of toxic pollutants in the water column, sediments or biota shall not adversely affect beneficial uses.

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2. Enclosed bay and estuarine communities and populations, including vertebrate, invertebrate and plant species, shall not be degraded as a result of the discharge of waste.
3. The natural taste and odor of fish, shellfish or other enclosed bay and estuarine resources used for human consumption shall not be impaired as a result of the discharge of waste.
4. Toxic pollutants shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health.
5. There shall be no acute toxicity or chronic toxicity in ambient waters as a result of the discharge of waste.
6. Dredging, excavation or disposal of dredge spoils shall not cause any of the following conditions in the receiving waters:
  - a. The formation of sludge banks or deposits of waste origin that would adversely affect the composition of the bottom fauna and flora, interfere with the fish propagation or deleteriously affect their habitat, or adversely change the physical or chemical nature of the bottom.
  - b. Turbidity that would cause substantial visible contrast with the natural appearance of the water outside the immediate area of operation.
  - c. Discoloration outside the immediate area of operation.
  - d. Visible material, including oil and grease, either floating on or suspended in the water or deposited on beaches, shores, or channel structures outside the immediate area of operation.
  - e. Objectionable odors emanating from the water surface.
  - f. Depression of dissolved oxygen concentrations below 5.0 mg/l at any time outside the immediate area of operation.
  - g. Any condition of pollution or nuisance.

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B. Provisions

1. The Discharge Requirements specified above are valid only for dredging of a maximum of 2,000 cubic yards of sediment and soil, with disposal of the dredged material at Berths 243-245 Confined Disposal Facility
2. POLA shall notify the Regional Board immediately by telephone of any adverse conditions in receiving waters or adjacent areas resulting from the removal of dredge materials or disposal operations; written confirmation shall follow within one week.
3. A copy of this Order shall be made available at all times to project construction personnel.
4. POLA shall provide the following information to the Regional Board:
  - a. A copy of the final permit issued by the United States Corps of Engineers for the dredge and disposal operations.
  - b. The scheduled date of commencement of each dredging and disposal operation at least one week prior to initiation of dredging.
  - c. Notice of termination of dredging and disposal operations, within one week following the termination date.
5. POLA shall submit, under penalty of perjury, technical reports to the Regional Board in accordance with specifications prepared by the Executive Officer.
6. In accordance with section 13260(c) of the Water Code, POLA shall file a report of any material change or proposed change in the character, location, or volume of the waste.
7. These requirements do not exempt POLA from compliance with any other laws, regulations, or ordinances which may be applicable: they do not legalize this waste discharge, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.

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8. In accordance with Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification. All discharges of waste into waters of the State are privileges, not rights.
9. This Order includes Attachment N: "Standard Provisions, General Monitoring and Reporting Requirements" ("Standard Provisions") and the attached Monitoring and Reporting Requirements, both of which are incorporated herein by reference. If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", those provisions stated hereinbefore prevail. If there is any conflict between requirements stated in the attached Monitoring and Reporting Program and said "Standard Provisions", the former shall prevail.
10. This Order fulfills the requirements for a Clean Water Act Section 401 Water Quality Certification for the proposed project. Pursuant to section 3860 of title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:
  - a. this certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and Article 6 (commencing with 23 CCR section 3867);
  - b. this certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought;
  - c. this certification is conditioned upon total payment of any fee required pursuant to 23 CCR division 3, chapter 28, and owed by the applicant.

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11. This Order shall expire on December 31, 2016.

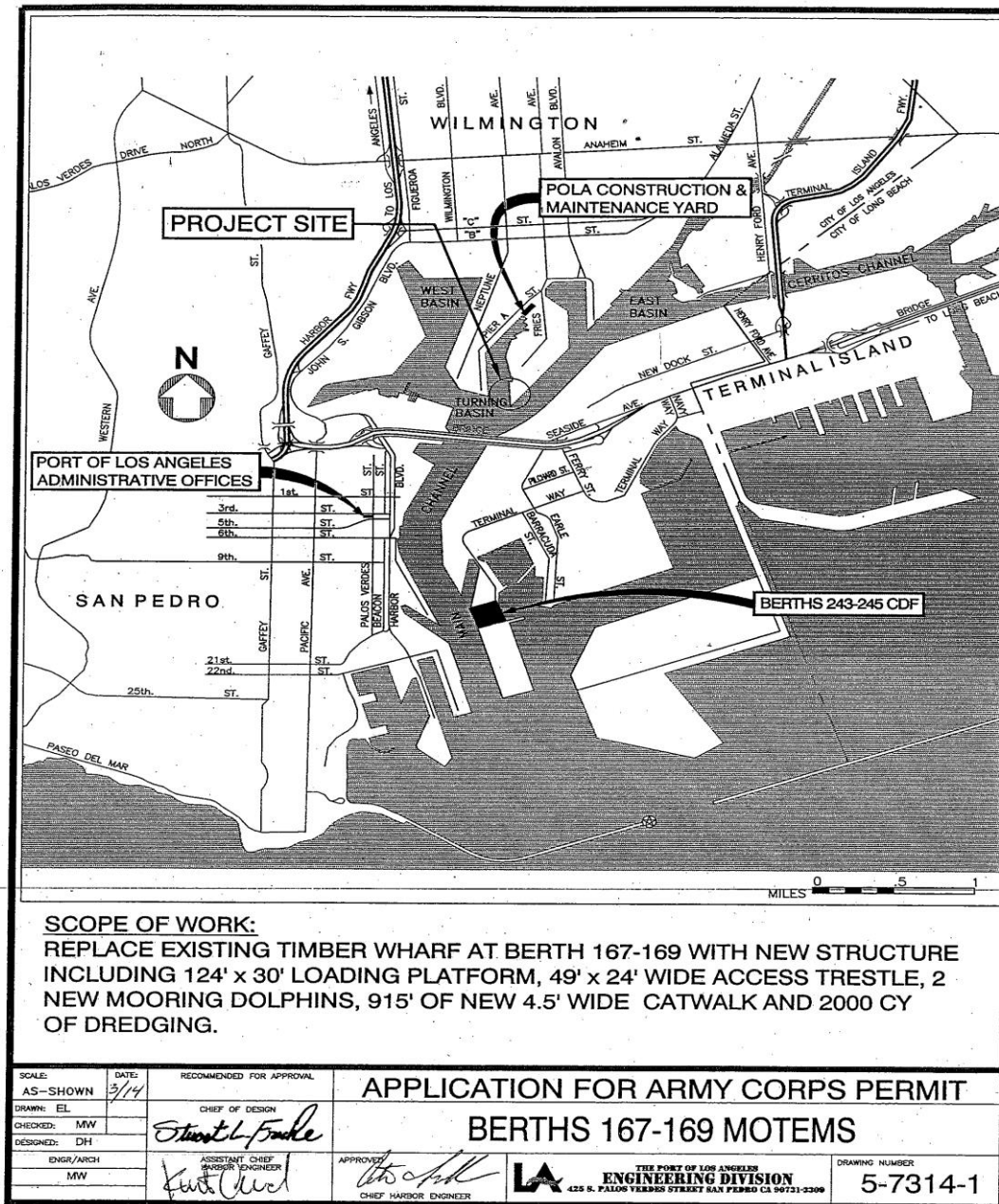
I, Samuel Unger, P.E., Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on September 11, 2014.

SAMUEL UNGER, P.E.  
Executive Officer

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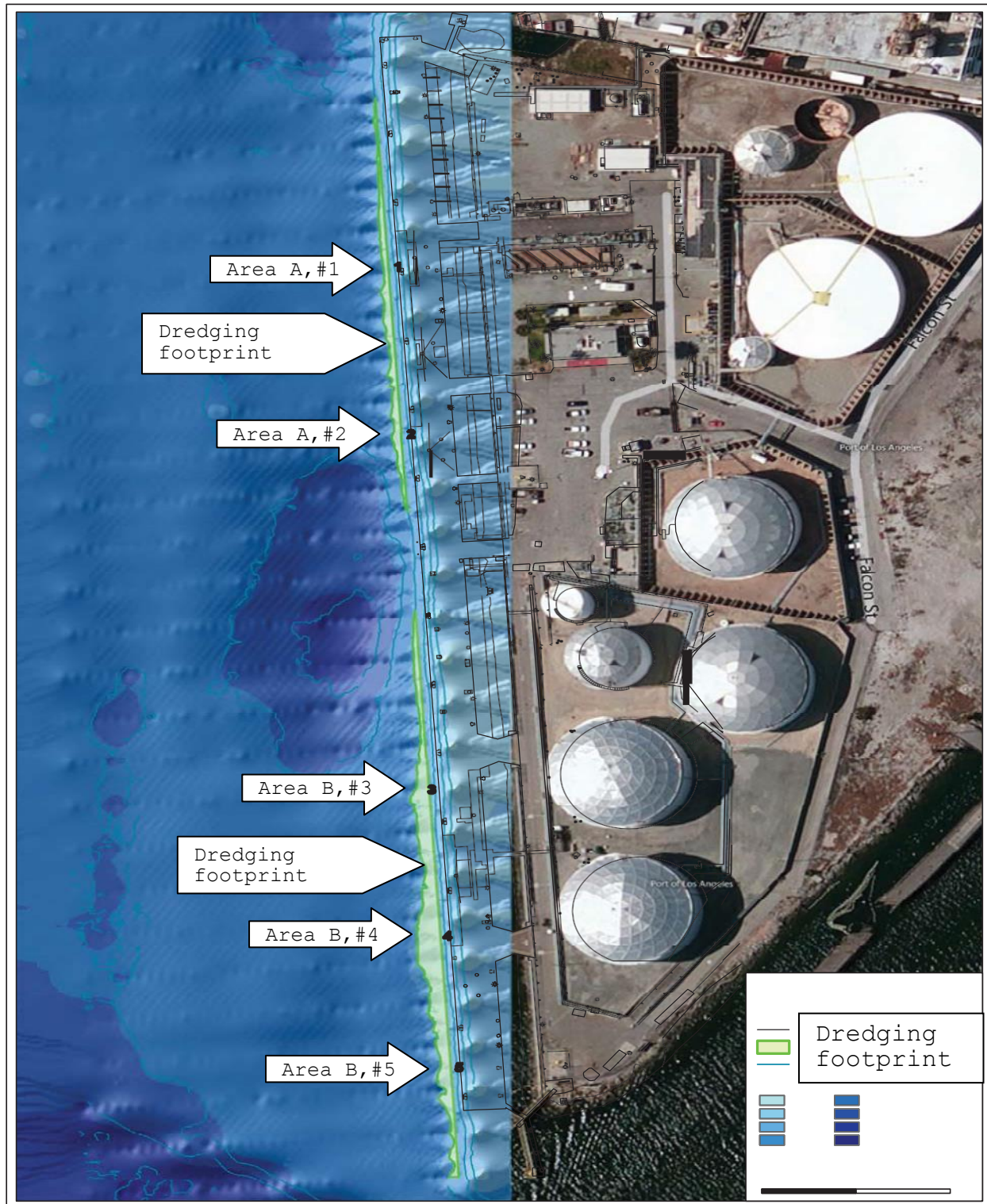
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Figure 1. Location map for Berths 163-164 dredging project in Los Angeles Harbor.



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Figure 2. Sample locations for Berths 167-169 sediment characterization (Area A, #1 and 2; Area B, #3, 4 and 5) and dredging footprint.